



Counsel referred to the findings from the Board's decision upon creation of the unit which stated:

- "1. By direct testimony, Chief Boutwell stated that confidential material was handled by a part-time employee of the town and not the full-time clerk/dispatcher. Issues involving the collateral bargaining process would fall in that category and could be handled by the part-time clerical employee."

He emphasized the town's position that the part-time clerk/dispatchers were confidential employees.

#### FINDINGS OF FACT

The unit created by the Board on May 8, 1980 included but one clerk-dispatcher as petitioned by AFSCME.

It was not until negotiations commenced that the negotiator for the Union was made aware of the part-time clerk/dispatchers.

Attempts to negotiate the part-time employees under the agreement failed; however, the parties agreed that the resolution of the matter would be left to the Public Employee Labor Relations Board.

Testimony from one of the part-time employees revealed that she did little, if any, typing of letters or notes from the chief. Her duties consisted mainly of answering and dispatching for fire and police calls, typing reports from patrolmen; such as burglary, accidents, etc.

Both part-time employees work an average of 28 to 30 hours per week, although hours can fluctuate when covering for other employees because of sickness, vacations or other reasons.

#### DECISION AND ORDER

After considering the records of the unit determination hearing prior to certification and the testimony presented on October 22, 1981, the Board rules as follows:

The original certification is hereby amended and includes the part-time clerk/dispatchers.

  
EDWARD J. HASELTINE, Chairman  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Signed this 26th day of October, 1981.

By unanimous vote, Chairman Haseltine presiding, members Hilliard and Osman present and voting. Also present, Executive Director Evelyn C. LeBrun.